

Notice of Allowability

Application No.

09/123,145

Applicant(s)

SEKIGUCHI, KENZO

Examiner

Andrew H. Lam

Art Unit

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an RCE dated 03/06/07.
2. ☒ The allowed claim(s) is/are 43-46, 56 and 57 (renumbered as claims 1-6, respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 03/06/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

- This action is responsive to the following communication: an RCE filed on 03/06/07.

Response to Arguments

Applicant's amendment was received on 1/5/06, and has been entered and made of record. Currently, claims 43-46, 56, and 57 are pending.

Claim Objections

The objection to claims 43, 56, and 57, as cited in the Office action dated 9/8/05, is withdrawn, as the current amendment corrects the problems that were indicated therein.

Claim Rejections - 35 USC § 1 01

The rejection under 35 USC 101 of claim 57, as cited in the Office action dated 9/8/05, is withdrawn, as the current amendment corrects the problems that were indicated therein.

Allowable Subject Matter

Claims 43-46, 56, and 57 are allowed (renumbered as claims 1-6, respectively).

The following is an examiner's statement of reasons for allowance:

Regarding claims 43, 56, and 57 (renumbered claims 1, 5, and 6, respectively),

in the examiner's opinion, it would not have been obvious to a person of ordinary skill in the art at the time the invention was made to have the system, as claimed, include all the limitations, along with the particular feature of converting the received facsimile image data into an image file and converting the image file and text data of reception result including the telephone number of the transmitting source and the reception date of the facsimile image data, into e-mail data in which the image file is one part and the text data of reception result is another part under MIME format. The closest prior art, previously noted as Yamada (U.S. Patent Number 5,521,719), Wada et al. (U.S. Patent Number 5,442,686), and Patel et al. ("The Multimedia Fax-MJME Gateway", IEEE MultiMedia journal, Winter 1994, pages 64-70), each fail to teach the claim as a whole. Previously, these references were combined to form a rejection, as noted in the Office action dated 9/8/05. However, upon reconsideration, the examiner concedes that Patel, fails to expressly disclose converting the image file and text data of reception result including the telephone number of the transmitting source and the reception date of the facsimile image data, into e-mail data in which the image file is one part and the text data of reception result is another part under MIME format. Therefore, the claims, as currently worded, are rendered allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

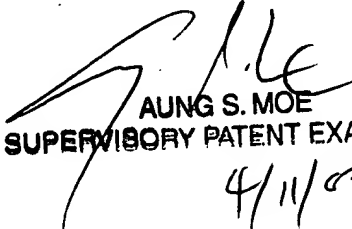
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew H. Lam whose telephone number is (571) 272-8569. The examiner can normally be reached on M-F (9:30-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Aung S. Moe can be reached on (571) 272-7314. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Andrew Lam 4/6/08


AUNG S. MOE
SUPERVISORY PATENT EXAMINER
4/11/08